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October 3, 2007

BY HAND

Lisa Urso, Courtroom Clerk
to the Hon. Rya W. Zobel
United States District Court
District of Massachusetts
John Joseph Moakley United States Courthouse
1 Courthouse Way - Suite 6110
Boston, MA 02210

Re: Cytologix Corp. v. Ventana Medical Systems, Inc.
United States District Court - District of Massachusetts
Civil Action No. 04-11783-RWZ

Dear Ms. Urso:

I write to advise the Court of a recently-issued precedential opinion by the Court of Appeals for the Federal Circuit, entitled *Morrow v. Microsoft Corp.*, No. 2006-1512, Slip Op. (Fed. Cir. Sept. 19, 2007). The opinion is attached hereto as Exhibit A. We believe that this opinion is highly relevant to issues relating to Ventana's pending motion to dismiss for lack of jurisdiction, Docket No. 73. I would be grateful if you would bring this matter to the Court's attention. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Michael D'O". The signature is written in a cursive, flowing style.

Michael S. D'Orsi

MSD/jlf
enclosure

cc: Michael E. Zeligier, Esq. (By Hand)
Roger J. Chin, Esq. (By First-Class Mail)
Ron E. Shulman, Esq. (By First-Class Mail)